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PART III—Section 1

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE SECRETARIAT.

NOTIFICATION.

No. 1848—C. B. 58-39, dated 6th November 1939.

The accompanying Proclamation of His Highness the Maharaja is published for general information.

By Order,
B. T. KESAVIENGAR,
Chief Secretary to Government.

PROCLAMATION

OF

HIS HIGHNESS MAHARAJA

SRI KRISHNARAJENDRA WADIYAR BAHADUR IV OF MYSORE

THIS TENTH DAY OF ASVIJA BAHULA OF THE PRAMATHI SAMVATSARA, BEING THE YEAR ONE THOUSAND EIGHT HUNDRED AND SIXTY-TWO OF THE SALIVAHANA ERA,

CORRESPONDING TO

THE SIXTH DAY OF NOVEMBER, ONE THOUSAND NINE HUNDRED AND THIRTY-NINE, IN THE THIRTY-EIGHTH YEAR OF MY RULE,

WHEREAS the welfare and advancement of MY people have been MY constant aim and endeavour, and

WHEREAS the fundamental identity of interests between MY people and MY Government has found satisfactory and progressive fulfilment in the measures adopted by ME from time to time, and

WHEREAS it is now MY desire to take further steps to increase the association of the representatives of MY people with MY Government in the administration of the State in pursuance of MY cherished and declared policy,

I HEREBY ORDAIN AS FOLLOWS:—

1. The Representative Assembly which was established fifty-eight years ago by command of MY beloved father, HIS HIGHNESS SRI CHAMARAJENDRA WADIYAR BAHADUR of revered memory, and which was placed on a statutory basis with enlarged functions by ME under Act XVIII of 1923, and the Legislative Council which was established by ME under Act I of 1907 and whose powers were enhanced by ME under Act XIX of 1923 have hitherto been functioning under separate Acts. They will now be brought into integral relationship with one another, and will henceforth function under a consolidated law relating to the constitution of Mysore. Privileges of freedom of speech and immunity from arrest under certain conditions will be conferred on the members of both Houses, and their term which is now three years will be extended to four years.

2. The powers and scope of the Representative Assembly will be enlarged, while its character as a body for consultation and reference will still be maintained. Its strength which is at present fixed at a maximum of 275 will be raised to 310 ordinarily, with a view to providing better representation for minority communities and for economic and other special interests.

3. The privilege already enjoyed by the Assembly of being consulted with regard to the general principles of proposed measures of legislation will be widened so as to provide that in future the Representative Assembly will invariably be consulted in regard to any legislative measure before it is introduced into the Legislative Council, and that it will have the right of considering the general principles underlying any Bill or any of its provisions and of proposing amendments thereto. The opinion expressed on any legislative measure by the Assembly will ordinarily be accepted by MY Government when supported by a prescribed majority, although in exceptional cases where it may be necessary in the public interest or for the ensuring of safety and good government to proceed with a Bill in the Legislative Council notwithstanding the opinion of the Assembly, MY Government will do so, after issuing a statement giving reasons therefor.

4. Subject to the existing exceptions, the Assembly will have the right to consider the State Budget and pass resolutions not only on the general principles and policy underlying the Budget, but also on any of the major heads of expenditure, without reference, however, to any particular grants or appropriations. The existing restriction regarding discussion on expenditure pertaining to MY Military Forces will be relaxed. The number of resolutions on matters of public interest, questions and representations which may be sent up will be increased, and the duration of the sittings of the Assembly will also be augmented, so as to allow larger opportunities for the introduction and disposal of non-official business.

5. In the case of legislative, financial and administrative measures under contemplation, MY Government will, as far as possible, consult the Assembly and ascertain its views on such measures before making a final decision.

6. The strength of the Legislative Council will be further increased, and its composition revised so as to increase the elected element therein, and ensure a statutory elected majority. Enlarged representation will be provided for the territorial constituencies as well as for the special interests and minorities, and the ordinary strength of the Council will be raised from 50, as at present, to 68, 44 places being filled by election. The Council will have a non-official President, who will be elected by the House after the first term, and a non-official elected Deputy President from the commencement, thus making the House a more effective instrument for voicing the wishes of MY people.

7. In respect of the State Budget, the Legislative Council has already been given the power to deal with demands for grants except in respect of excluded subjects and subject to MY Government's power to restore a provision, if they consider such restoration necessary for the carrying on of a department or for discharging Government's responsibility, and, in cases of emergency, to authorise such expenditure as may be necessary for the safety and tranquillity of the State. In future such action will be taken only after a formal certification by MY Dewan.

8. Along with the grant of enlarged powers and privileges to the Representative Assembly and the Legislative Council, it is MY further desire that the electorate for these bodies should be further widened in some respects. As in the case of the representatives of the urban and rural constituencies, the representatives of minority communities will also be returned by direct election thro[illegible]

by election through specially formed constituencies. The property qualification for voters for the Representative Assembly in rural areas, and the educational qualification for voters for the Representative Assembly will be substantially reduced. In the case of women, the educational qualification will be further reduced for both the Representative Assembly and the Legislative Council. The operation of certain existing disqualifications of voters to both Houses will be relaxed.

9. The elected representatives of the people will henceforward be given a place in MY Executive Council, so that the Legislature may be able more largely to influence the nature of the advice and assistance which MY Council tenders to ME. Accordingly MY Executive Council will in future consist of MY Dewan and not less than four Ministers, of whom it is MY desire that not less than two should be non-officials selected from among the elected members of the Representative Assembly and the Legislative Council, such Ministers being eligible to hold any portfolio of the administration.

10. MY Government will have power to make rules in regard to all matters of detail not provided for in this Proclamation or in the Constitution Act, and to add to, amend, vary or rescind such rules, whenever necessary or expedient, but not so as to curtail in any manner the powers and privileges hereby granted.

11. MY Government will take immediate steps to give effect to this Proclamation, and will adopt such measures as may become necessary from time to time to carry out MY intentions. I have every confidence that MY people will utilise these larger opportunities for public service and usefulness to the State with the same sense of responsibility as in the past, and in a spirit of mutual toleration and goodwill. Under the Divine blessing and guidance may the measures now inaugurated serve to promote the abiding happiness of all classes of MY beloved subjects!

Seal.

KRISHNARAJA WADIYAR.

NOTIFICATIONS BY GOVERNMENT

CHIEF SECRETARIAT

No. 1971--*War, dated 6th November* 1939.

The following notification of the Government of India is republished.

By Order,
B. T. KESAVIENGAR,
Chief Secretary to Government.

(WAR).

Appointment of Inspectors under the Defence of India Rules:

Fort St. George, October 24, 1939.

No. 31.

The following notification of the Government of India is republished :—

DEPARTMENT OF COMMERCE.

(WAR).

New Delhi, the 17th October 1939.

No. 25-W. (15)/39.—In exercise of the powers conferred by rule 100 of the Defence of India Rules, the Central Government is pleased to appoint Mr. F. J. Scot and Khan Bahadur P. N. Pesikaka to be Inspectors under the said rule at Madras and Bombay, respectively.